

State of California
AIR RESOURCES BOARD

Executive Order R-17-003

Relating to the Proposed Regulation to Provide Certification Flexibility for Innovative Heavy-Duty Engines and California Certification and Installation Procedures for Medium- and Heavy-Duty Vehicle Hybrid Conversion Systems (Innovative Technology Regulation)

WHEREAS, on October 20, 2016, the Air Resources Board (CARB or Board) conducted a public hearing to consider the Proposed Regulation to Provide Certification Flexibility for Innovative Heavy-Duty Engines and California Certification and Installation Procedures for Medium- and Heavy-Duty Vehicle Hybrid Conversion Systems (Innovative Technology Regulation), as well as amendments to California Code of Regulations, title 13, section 1956.8 and associated test procedures, as set forth in Appendices C through E to the Initial Statement of Reasons (Staff Report) released to the public on August 30, 2016;

WHEREAS, the environmental analysis prepared under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the amendments would not result in any significant adverse impacts on the environment;

WHEREAS, following the public hearing, the Board adopted Resolution 16-20, in which the Board approved for adoption California Code of Regulations, title 13, sections 2208, 2208.1, and 2208.2, as set forth in Attachment A to that resolution; amendments to California Code of Regulations, title 13, section 1956.8; amendments to "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles;" amendments to "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines and Vehicles," as set forth in Attachment B to that resolution; and "California Certification and Installation Procedures for Medium- and Heavy-Duty Vehicle Hybrid Conversion Systems," as set forth in Attachment C to that resolution;

WHEREAS, Resolution 16-20, directed the Executive Officer to determine if additional conforming modifications to the regulation are appropriate and, if so, to make any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period, to make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

WHEREAS, modified regulatory language and supporting documentation were

circulated for two 15-day public comment periods, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from May 31, 2017 through June 15, 2017 and from August 16, 2017 through August 31, 2017;

WHEREAS, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment periods, and those comments were considered by the Executive Officer;

WHEREAS, based on substantial evidence in the record, there is no possibility the modifications to the regulation made available for the 15-day public comment periods after the Board hearing could affect the conclusion of the environmental analysis included in the Staff Report, so no additional environmental analysis was required and no additional comments raising significant environmental issues were received;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 16-20 are incorporated herein.

IT IS FURTHER ORDERED that California Code of Regulations, title 13, sections 2208, 2208.1, and 2208.2; amendments to California Code of Regulations, title 13, section 1956.8; amendments to "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles;" amendments to "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines and Vehicles;" and "California Certification and Installation Procedures for Medium- and Heavy-Duty Vehicle Hybrid Conversion Systems" are adopted as set forth in Attachments 1 through 4 to this Order.

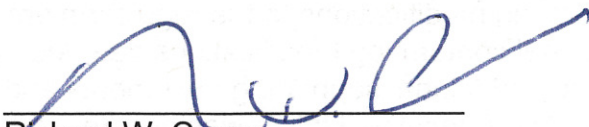
IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this first day of September 2017, at Sacramento, California.

FILED

SEP 01 2017

Resources Agency of California


Richard W. Corey
Executive Officer

Attachments